



T2315-906256

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicants : Frank J. BOVA et al. :
Serial No. : 09/430,034 : Group Art Unit: 6256
Filed : October 29, 1999 : Examiner: E. Mantis Mercader
For : MASK SYSTEM AND METHOD FOR STEREOTATIC
RADIOTHERAPY AND IMAGE GUIDED PROCEDURES

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RESPONSE

Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

Sir:

In response to the official letter dated January 30, 2001, please reconsider the above-captioned application in light of the following remarks.

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REMARKS

The rejection of claims 9, 15-16, 19 and 23 under 35 USC 102 over Kormos '890 as being completely anticipated is respectfully traversed.

The Kormos et al '890 patent relates to a detained method of performing stereotactic breast surgery by immobilizing a patient's breast, fixing the breast relative to a patient support, fixing magnetic resonant markers to the immobilization restraint, imaging the breast, specifically by magnetic resonance imaging, removing the patient from the imaging unit and performing a surgical tack along which a surgical procedure can be performed. The Kormos system is designed to immobilize an otherwise non-rigid structure, the breast, and while held into a specific position carry out a surgical procedure. The Kormos approach essentially takes otherwise non-rigid tissue and by mechanical restraint fixes it to an external reference system. Thus, note the disclosure at Col. 3, ll12-16: